

UNITED STATES DISTRICT COURT
COUNTY OF NEW YORK

DISTRICT: SOUTHERN DISTRICT OF NEW YORK

Attorneys: MISKIN & TSUI-YIP LLP PH: 212-268-0900

Address: 1350 BROADWAY, SUITE 802 NEW YORK NY 10018 File No.:

MOLINO'S DIAMONDS, INC D/B/A MOLINO JEWELERS

vs

Plaintiff(s)/Petitioner(s)

DINARO CREATIONS, LLC AND ALMOD DIAMONDS LTD D/B/A DIAMONDS INTERNATIONAL

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

AFFIDAVIT OF SERVICE

Markland J. Harrison, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On April 2, 2008 at 11:04AM, at 42 WEST 48TH STREET, SUITE 801, NEW YORK, NY 10036, deponent served the within Summons and Complaint, 3rd Amended Instruction for Filing an Electronic Case or Appeal, Disclosure of Corporate Affiliations and Other

Entities with a Direct Financial Interest in Litigation- Rule 7.1 Statement, Individual Practices of Richard J. Sullivan and Magistrate Judge Henry Pitman

on: DINARO CREATIONS, LLC, Defendant therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 LLC ☒ By delivering thereat a true copy of each to RALPHY SMITH personally, deponent knew the person so served to be the OWNER of the LLC, and authorized to accept service on behalf of the LLC.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's: ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat

on the day of at

on the day of at

on the day of at

Address confirmed by

#5 MAIL COPY ☐ On, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York and Certified Mail #

#6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
Sex: Male Color of skin: White Color of hair: Gray Age: 61- 70 Yrs Height: 6'0 & over
(use with #1, 2 or 3) Weight: 161- 200 Lbs. Other Features:

#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.

#9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).

#10 OTHER ☐

Sworn to before me on April 3, 2008

WENDY RESNICK
NOTARY PUBLIC, State of New York
No. 01RE5067464, Westchester County
Commission Expires Oct. 15, 2010

Markland J. Harrison
Server's Lic # 1080830
Invoice/Work Order # 08008692